

ucational Affairs, to whom was referred

H. B. No. 469, A bill to be entitled "An Act amending Article 2843, Title No. 49, Chapter 16, Revised Civil Statutes of 1925, authorizing the increase or decrease in the list of subjects for which free textbooks are adopted; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, May 15, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 1162, A bill to be entitled "An Act to authorize the Commissioners' Court of Montgomery County to pay bounties under certain conditions for the destruction of wolves, coyotes, wildcats, and other predatory animals and fowls in said county; to make rules and regulations with respect thereto; regulating the issuance of warrants in payment thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, May 15, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 1143, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas for the State Commission for the Blind for the balance of the fiscal year ending August 31, 1937; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

REDDITT, Chairman.

SEVENTY-SEVENTH DAY.

(Saturday, May 15, 1937)

The Senate met at 11:15 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Winfield
Neal	Woodruff

The following Senators were absent and excused:

Hill	Weinert
Nelson	Westerfeld
Spears	

A quorum was announced present.

The invocation was offered by Assistant Sergeant-at-Arms Smith.

Reading of the Journal of the proceedings of the seventy-sixth legislative day was dispensed with, on motion of Senator Roberts.

Leaves of Absence Granted.

Senator Westerfeld was granted leave of absence for today, on account of important business, on motion of Senator Oneal.

Senator Hill was granted leave of absence for today, on account of important State business, and Senators Spears, Weinert and Nelson were granted leave of absence for today on account of important business, on motion of Senator Burns.

Resolutions Signed.

The President signed in the presence of the Senate, after giving due notice thereof, the following resolutions:

H. J. R. No. 26, Proposing an amendment to Article 3 of the Constitution of the State of Texas by adopting a new section to be known as Section 51-c which shall provide

that the Legislature shall have the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient for assistance to the needy blind over the age of twenty-one (21) years, and for the payment of same not to exceed Fifteen Dollars (\$15) per month each, and providing for payment of such assistance or aid only to actual bona fide citizens of Texas and providing that the requirements for the length of time of actual residence in Texas shall never be less than five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one year immediately preceding such application; and providing that the Legislature shall have the authority to accept from the Government of the United States financial aid for assistance to such blind; providing for an election on the question of adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation and publication thereof and prescribing the form of ballot.

H. J. R. No. 26a, Proposing an amendment to Article III of the Constitution of the State of Texas by adopting a new section to be known as Section 51d, which shall provide that the Legislature shall have the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient for assistance to destitute children and for the payment of same not to exceed Eight Dollars (\$8) for one child or Twelve Dollars (\$12) for the children of any one family per month; further providing that the Legislature may impose such restrictions and regulations as to it may seem expedient; providing that the amount to be expended out of state funds in any one year for such assistance shall never exceed the sum of \$1,500,00; and providing that the Legislature shall have the authority to accept from the Government of the United States financial aid for assistance to destitute children; providing for an election on the question of adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation and publication thereof, and prescribing the form of ballot.

Motion to Suspend Regular Order.

Senator Small moved that the regular order of business be suspended to take up and have placed on its third reading and final passage:

H. B. No. 5, A bill to be entitled "An Act defining the term 'open saloon'; regulating the manufacture, sale, importation, transportation and possession of alcoholic liquors; prescribing rules and regulations and the right of local option; providing for a system of permits, levying taxes; prescribing penalties for violations; repealing conflicting laws and parts of laws, and declaring an emergency."

Senator Moore raised a point of order on consideration of the motion at this time, on the ground that under Senate Rule No. 11 there are other matters on the calendar having precedence over the motion to suspend.

The President overruled the point of order.

The motion to suspend the regular order was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—17.

Aikin	Lemens
Beck	Neal
Brownlee	Oneal
Burns	Pace
Collie	Redditt
Cotten	Small
Davis	Van Zandt
Head	Woodruff
Isbell	

Nays—9.

Holbrook	Shivers
Moore	Stone
Newton	Sulak
Rawlings	Winfield
Roberts	

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

Committee Substitute for Senate Bill No. 122 on Second Reading.

The President laid the bill before the Senate as a special order for

this hour, on its second reading and passage to engrossment:

C. S. for S. B. No. 122, A bill to be entitled "An Act regulating the number of hours women may be employed in Texas, requiring employers to furnish suitable seats for female employees; providing for the posting of a sign relative to such seats requiring employers to post a copy of this as furnished by the Labor Commissioner; providing certain exceptions; providing a penalty; repealing Articles 1570 and 1571 of the Penal Code of the State of Texas, 1925, and Articles 1569 and 1572 of the Penal Code of the State of Texas as amended by Chapter 114, Acts of the Forty-third Legislature, and declaring an emergency."

The bill was read second time.

(Senator Cotten in the Chair.)

Senator Shivers offered the following amendment to the bill:

Amend C. S. S. B. No. 122 by adding the following section:

"Sec. 4-a. Punishment. Any employer, superintendent, foreman or other agent of any such employer who shall permit any female to work in any place of employment mentioned in Section 1 of this Act more than the number of hours provided therein in any one (1) day of twenty-four (24) hours or in any one (1) week; or who fails to furnish and provide suitable seats and post a notice that such employees are permitted to use such seats as provided in Section 2 of this Act, or having furnished and provided suitable seats and posted said notice that employees are permitted to use said seats when not actively engaged in the duties of their employment, shall by intimidation, instruction, threats or in any manner prevent such female from sitting thereon, when not attending the duties of her position; or who fails to post and keep posted a copy of this law as provided in Section 3, shall be deemed guilty of a misdemeanor and upon conviction therefor, be fined not less than fifty (\$50.00) dollars nor more than two hundred (\$200.00). Each day of such violation, and each such employee permitted to work in said places more than the hours so specified in this Act, and every other violation of the provisions of this Act

shall be considered a separate offense."

The amendment was adopted.

(President in the Chair.)

Senator Newton offered the following amendment to the bill:

Amend S. B. No. 122 by substituting in line 46 thereof the figure 9 in lieu of the figure and number 8, and by substituting the figure 54 for the figure and number 48 in line 47. Further, by substituting the figure 54 for the figure and number 48 found in line 50, and by substituting the figure 9 for the figure and number 8 found in line 55, and by substituting the figure 9 in lieu of the figure and number 8 found in line 56.

On motion of Senator Shivers, the amendment was tabled.

The bill was passed to engrossment.

Committee Substitute for Senate Bill No. 122 on Third Reading.

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. for S. B. No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Winfield
Moore	Woodruff
Neal	

Nays—1.

Newton

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

The President laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21.

Aikin	Pace
Beck	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Winfield
Neal	Woodruff
Oneal	

Nays—5.

Brownlee	Newton
Burns	Small
Head	

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

House Bill No. 5 on Third Reading.

Senator Small moved that the regular order of business be suspended to take up H. B. No. 5 and have it placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—18.

Aikin	Lemens
Beck	Neal
Brownlee	Newton
Burns	Oneal
Collie	Pace
Cotten	Redditt
Davis	Small
Head	Van Zandt
Isbell	Woodruff

Nays—8.

Holbrook	Shivers
Moore	Stone
Rawlings	Sulak
Roberts	Winfield

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

The President then laid H. B. No. 5, regulating the sale etc., of alcoholic liquors, before the Senate on its third reading and final passage.

The bill was read third time.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 5, page 13, by striking out the sentence beginning with the word "only" in line 1 and ending with the word "State" in line 3 and substituting in lieu thereof the following:

"The holders of such certificates shall be authorized to transport liquor and beer into and out of this State and between points within this State."

RAWLINGS,
MOORE.

The amendment was adopted unanimously.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 5 by adding a new section thereto appropriately numbered and reading as follows:

"It shall be unlawful to possess in any county, city or justice precinct in this State, any liquor containing alcohol in excess of one-half of one per cent by volume unless such liquor is legal within such area or unless such liquor has been prescribed for the person possessing same by a licensed physician under all the terms and conditions of this Act. Any person who violates this section shall be guilty of a felony and upon conviction, shall be punished by confinement in the State penitentiary for not less than one year nor more than five years. Should this section conflict with other portions of this Act, this section shall control."

MOORE,
ROBERTS,
HOLBROOK,
STONE,
SULAK.

Senator Pace moved the previous question on the amendment and the passage of the bill and the motion was duly seconded.

The roll was called on the motion for the previous question and the vote announced yeas 13, nays 13.

The President voted yea, and the main question was ordered by the following vote:

Yeas—14.

Mr. President	Davis
Beck	Head
Burns	Isbell
Cotten	Lemens

Neal	Redditt
Oneal	Small
Pace	Van Zandt

Nays—13.

Aikin	Roberts
Brownlee	Shivers
Collie	Stone
Holbrook	Sulak
Moore	Winfield
Newton	Woodruff
Rawlings	

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

Question then first recurring on the amendment, it was lost by the following vote:

Yeas—11.

Aikin	Rawlings
Burns	Shivers
Collie	Stone
Holbrook	Sulak
Moore	Winfield
Newton	

Nays—14.

Beck	Neal
Brownlee	Oneal
Cotten	Pace
Davis	Redditt
Head	Small
Isbell	Van Zandt
Lemens	Woodruff

Absent.

Roberts

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

The bill then was passed by the following vote:

Yeas—16.

Aikin	Lemens
Beck	Neal
Burns	Oneal
Collie	Pace
Cotten	Redditt
Davis	Shivers
Head	Van Zandt
Isbell	Woodruff

Nays—8.

Brownlee	Newton
Holbrook	Rawlings

Roberts	Sulak
Stone	Winfield

Absent—Excused.

Nelson	Westerfeld
Spears	

Paired.

Senator Moore (present), who would vote nay with Senator Hill (absent), who would vote yea.

Senator Small (present), who would vote yea with Senator Weinert (absent), who would vote nay.

Motion to Adjourn.

Senator Rawlings moved that the Senate adjourn until 10:00 o'clock a. m., next Monday, and the motion was lost.

Committee Substitute for Senate Bill No. 124 on Second Reading.

The President laid before the Senate as a special order for this hour, on its second reading and passage to engrossment:

C. S. for S. B. No. 124, A bill to be entitled "An Act regulating the number of hours women may be employed in Texas; requiring employers to furnish suitable seats for female employees; providing for the posting of a sign relative to such seats; providing certain exceptions; repealing Articles 5168, 5169, 5170, 5171 and 5172 of the Revised Civil Statutes of the State of Texas, 125; and declaring an emergency."

The bill was read second time.

Senator Woodruff offered the following amendment to the bill:

Amend S. B. No. 124 by substituting the figure 9 in lieu of the number and figure 8 found in line 40 thereof. Substituting the figure 54 in lieu of the number and figure 48 found in line 41 thereof. By substituting the figure 54 in lieu of the figure and number 48 found in line 43 thereof. Substituting the figure 9 in lieu of the figure and number 8 found in line 48 thereof, and substituting the figure 9 in lieu of the figure and number 8 found in line 49 thereof.

NEWTON .

The amendment was lost.

C. S. for S. B. No. 124 then was passed to engrossment.

**Committee Substitute for Senate Bill
No. 124 on Third Reading.**

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. for S. B. No. 124 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25.

Aikin	Oncal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Winfield
Moore	Woodruff
Neal	

Nays—1.

Newton

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23.

Aikin	Oncal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Winfield
Moore	Woodruff
Neal	

Nays—3.

Head	Small
Newton	

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

Adjournment.

Senator Rawlings moved that the Senate adjourn until 10:00 o'clock a. m., next Monday.

Senator Moore moved that the Senate recess to 2:00 o'clock p. m., today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—15.

Brownlee	Oncal
Burns	Pace
Collie	Rawlings
Cotten	Redditt
Holbrook	Small
Lemens	Sulak
Moore	Winfield
Neal	

Nays—10.

Aikin	Roberts
Beck	Shivers
Davis	Stone
Head	Van Zandt
Isbell	Woodruff

Absent.

Newton

Absent—Excused.

Hill	Weinert
Nelson	Westerfeld
Spears	

The Senate, accordingly, at 12:20 o'clock p. m., adjourned until 10:00 o'clock a. m., next Monday, May 17, 1937.